

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|-------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:09CR187 HEA |
| |) | |
| KEVIN N. MILLER, |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter comes before the Court upon Defendant's Motion to Continue [Doc. #34] and the Waiver of Speedy Trial [Doc. #33]. Plaintiff does not object to this motion.

This Court, upon careful consideration of the motion of Defendant, and on review of the record, finds that the ends of justice would best be served by continuing the trial setting as to Defendant Kevin N. Miller to November 9, 2009, and that a continuance of these proceedings outweighs the best interest of the public and the defendant in a speedy trial. Furthermore, failure to grant a continuance would deny counsel for the Defendant and the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Defendant has previously filed with this Court a signed Waiver of Speedy Trial under the Speedy Trial Act, 18 U.S.C. §3161, [Doc. #33].

Concluding that the administration of justice will best be served by continuing this case, the Court will reset trial in this proceeding.

Accordingly,

IT IS HEREBY ORDERED, that the trial setting as to Defendant Kevin N. Miller

is **RESET** to November 9, 2009, at 9:30 a.m.

Dated this 10th day of September, 2009.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in black ink.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE